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June 23, 2020

Honorable Susan D. Wigenton
U.S. District Court for the District of New Jersey
MLK Jr. Federal Building and U.S. Courthouse
50 Walnut Street
Newark, New Jersey 07102

**Re: Emma Oustatcher v. Teaneck Community Charter School
Civil Action No. 2:20-cv-04803-SDW-LDW
Our File No. 304-26623**

Dear Judge Wigenton:

This office represents the Defendant, Teaneck Community Charter School in the above captioned matter. A Complaint was filed by Plaintiffs in this matter appealing a decision issued by the Honorable Ellen Bass, ALJ pertaining to funding for a student's school placement while the plenary due process hearing is heard by the Office of Administrative Law this Fall. Co-defendant, Teaneck Board of Education filed a Motion to Dismiss Plaintiffs' Complaint. The Motion to Dismiss did not seek any relief against the Defendant, Teaneck Community Charter School. On behalf of Teaneck Community Charter School, we filed an Answer to the Complaint on June 22, 2020 in accordance with the waiver of service of summons timelines. Yesterday, we received opposition filed by the Plaintiffs in response to Co-defendant, Teaneck Board of

Educations' Motion to Dismiss. In those opposition papers, Plaintiffs appear to seek affirmative relief against the Defendant, Teaneck Community Charter School without formally filing a cross-motion for such relief. As such, we request that to the extent this Court will be considering Plaintiffs' opposition as a cross-motion seeking to have the Court order relief against the Teaneck Community Charter School, we respectfully request seven (7) days to submit a response brief. Thank you in advance for your courtesies in this regard.

Respectfully submitted,

/s/ Rita F. Barone

RITA F. BARONE

RFB/er

cc: Leda D. Wettre, Magistrate
William T. Walsh, Clerk
Michael Inzelbuch, Esq.
Alyssa K. Weinstein, Esq.
Thomas Johnston, Esq.